

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

**Susan Neese, M.D and James Hurly,  
M.D.**, on behalf of themselves and  
others similarly situated,

Plaintiffs,

v.

**Xavier Becerra**, in his official capacity as  
Secretary of Health and Human  
Services; **United States of America**,

Defendants.

Case No. 2:21-cv-00163-Z

**MOTION FOR CLASS CERTIFICATION**

Plaintiffs Susan Neese and James Hurly respectfully move to certify the following  
class under Rule 23(b)(2) of the federal rules of civil procedure:

All health-care providers subject to section 1557 of the Affordable Care  
Act.

The accompanying brief provides our arguments and authorities.

Respectfully submitted.

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Dated: August 5, 2022

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### CERTIFICATE OF SERVICE

I certify that on August 5, 2022, I served this document through CM/ECF upon:

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